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February 13, 2023

Hon. Andrew E. Krauss, Magistrate Judge

The Hon. Charles L. Briant Jr.

Federal Building and United States Courthouse

300 Quarropas St.

White Plains, NY 10601-4150

Re: 22cv1606 Richtone Design Group, L.L.C. v. Kelly et al

Dear Judge Krause:

Defendants/Third-Party Plaintiffs did not agree to a sixty-day extension for Mr. Postolski because we believe that it is excessive.

There should be no delay "for new counsel to obtain and review the files of former counsel." Mr. Salta is still counsel of record and nothing prevents him from delivering the documents, which are not voluminous. The discovery produced by Plaintiff sit in Mr. Knull's shared Dropbox folder, labeled RICHTONE DOCUMENT TURNOVER, and Mr. Salta is a member of that folder. If counsel is unclear about what documents Defendants have served, we would be happy to effectuate service of our clients' documents without delay.

Regarding a meet-and-confer with Defendants to "possibly resolve outstanding discovery issues," the issues have been resolved by the Court, and Defendants have met and conferred with Mr. Salta on the remaining issues as discussed at our last conference. The outstanding discovery is as follows:

Discovery served on Plaintiff on December 16, 2022:

- Defendants' revised First Set of Requests for Admission (Nos. 1-87)
- Defendants' Third Set of Interrogatories (Nos. 13-17) and restated prior Interrogatories, Nos. 3, 4, 6, 7, 9, and 10
- Defendants' Fifth Set of Requests for Production (Requests Nos. 51-54)



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Discovery served on Plaintiff on February 13, 2023 (based on Plaintiff's prior responses to certain discovery):

- Defendants' Second Set of Requests for Admission (88–115)
- Defendants' Sixth Set of Requests for Production (Requests Nos. 55–73)

Lastly, Defendants are unaware of any unanswered discovery request from Plaintiff. However, Defendants will be serving additional documents in response to prior discovery requests.

Respectfully submitted,



By: _____
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